

PROB 12B
(7/93)

UNITED STATES DISTRICT COURT

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

for

APR 21 2005

Eastern District of WashingtonJAMES R. LARSEN, CLERK
DEPUTY
YAKIMA, WASHINGTON

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**

(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Timothy Stewart Case Number: 2:96CR02068-001Name of Sentencing Judicial Officer: The Honorable Alan A. McDonald, Senior U.S. District JudgeDate of Original Sentence: September 26, 1997Original Offense: Possession of a Stolen FirearmOriginal Sentence: Prison - 120 Months; TSR - 24 MonthsType of Supervision: Supervised Release Date Supervision Commenced: January 28, 2005**PETITIONING THE COURT**

- To extend the term of supervision for _____ years, for a total term of _____ years.
 To modify the conditions of supervision as follows:

The defendant shall participate in any substance abuse counseling program, which may include urinalysis, sweat patch, or breathalyzer testing, as approved by the Probation Office and shall pay any associated costs as directed by the Probation Office.

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CAUSE

The petition for modification in the conditions of supervised release is made at the request of this officer and as agreed to by Mr. Stewart, as noted in the attached waiver signed by the defendant. The basis for the request is Mr. Stewart submitted two urine samples which tested positive for marijuana and cocaine. He appears to have substance abuse issues and is in need of treatment. The defendants supervising probation officer in the Western District of Missouri believes placement in such a program would be an appropriate sanction and would allow for closer monitoring of the defendants substance abuse issues.

Respectfully submitted,

by 

U.S. Probation Officer

Date: April 20, 2005

THE COURT ORDERS:

- No action.
- The extension of supervision as noted above.
- The modification of conditions as noted above.
- Other


Signature of Judicial Officer

ALAN A. McDONALD

4/21/05

Date